



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: The Commission

FROM: Lisa Stevenson
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SUBJ: MUR 7213 (Labor United for Connecticut)

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2 On August 7, 2018, the Commission found that there is no reason to believe that
3 Labor United for Connecticut and Paul Filson in his official capacity as treasurer
4 ("LUC") violated 52 U.S.C. §§ 30116(f) or 30118(a) by accepting or spending non-
5 federal funds.¹ Further, the Commission dismissed allegations that LUC violated 52
6 U.S.C. §§ 30102, 30103, or 30104 by failing to register and report as a political
7 committee and §§ 30104(b) or (c), and 30104(g) by failing to timely report independent
8 expenditures.² The Commission also voted to approve the Factual and Legal Analysis
9 ("F&LA"), subject to the edits made by the Commission.³

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11 Four days before the Commission's vote, however, in *CREW v. FEC*, No. 16-259
12 (D.D.C. Aug. 3, 2018), the court vacated the regulation at 11 C.F.R. § 109.10(e)(1)(vi),
13 which requires the identification of "each person who made a contribution in excess of
14 \$200 to the person filing such report, which contribution was made for the purpose of
15 furthering the reported independent expenditure." Because the F&LA approved by the
16 Commission refers to the vacated regulation, we believe that modification is appropriate

¹ Certification, MUR 7213 (Aug. 7, 2018).

² *Id.*

³ *Id.*; see also F&LA MUR 7213, (Aug. 7, 2018)

1 and recommend that the Commission reopen this matter, rescind the approved F&LA,
2 and approve the attached F&LA that removes the reference to section 109.10(e)(1)(vi).⁴
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4 While the court's order stayed the vacatur for 45 days,⁵ we recommend removing
5 the reference to the regulation from the previously approved F&LA to avoid confusion in
6 the public record. Further, donor disclosure for LUC's independent expenditures was not
7 an issue in the case, and the reference to the regulation was only included to provide an
8 overview of independent expenditure reporting requirements for persons other than
9 political committees. Thus, eliminating the reference to section 109.10(e)(1)(vi) does not
10 affect the Commission's legal analysis.
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13 **RECOMMENDATIONS**
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- 15 1. Reopen this matter.
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17 2. Rescind the Factual and Legal Analysis approved on August 7, 2018.
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19 3. Approve the attached Factual and Legal Analysis.
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21 4. Close the file.
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⁴ See Attach. 1.

⁵ Order, *CREW v. FEC*, No. 16-259, at 2 (D.D.C. Aug. 3, 2018).